RESPONSE TO THE OFFICE ACTION

Restriction requirement

Restriction was required between claims 1-14 as Group I and Claims 15-18 as Group II, Applicants electing, with traverse, the claims of Group I for prosecution on the merits.

Applicants affirm their election and withdraw their traversal. Only claims 1-14 are being examined at this time.

Rejections Under 35 USC 103(a)

Claims 1-3, 7-9 and 10-13 have been rejected under 35 USC 103(a) as being unpatentable over Weston in view of Lenhardt. This rejection is respectfully traversed.

Both the Weston and Lenhardt devices are fixed, stationary machines in which materials move under a fixed position (horizontally) dispenser. These are not hand-held, manually moved devices. There is no suggestion in either reference that fluid application controls could be performed on a manual, hand-held device, and there are no references to hand-held devices. On that basis alone, all claims are unobvious over the art of record in this rejection.

It is to be noted that in the specification the term manual is clearly defined as follows:

> "By manual application it is meant that the device is to be supported and guided by hands of a human."

To that end, the limitations already in the claims clearly exclude the massive, on-line manufacturing systems disclosed by Weston and Lenhardt. The system of Weston and the system of Lenhardt are not amenable to conversion to a hand held system, even if the concept of conversion were taught on the record, which it is not.

With respect to claim 9 and claims dependent therefrom (e.g., 19 and 20), those claims specifically recite:

> "...comparing a measured speed and measured liquid volume flow rate to at least two values, one value representing a high tolerance level for liquid volume/speed of application and a second value representing a low tolerance limit for liquid volume/speed of application."

This specific basis of actuating determination, which is more appropriate for a manual system, which neither of the references is, cannot be found in the teachings of either reference. The rejection of these claims is therefore untenable.

Similarly, claim 11 recites a basis of comparison and parameters that are considered in the control of pressure that are not as relevant to the fixed systems of the references that would be used in a controlled environment, as the manual system would be more likely to be used in a variety of environments. Specifically the claim recites, as follows, without requiring consideration of the chamber pressure of the fluid as is taught by Weston and Lenhardt:

> "The system of claim 10 wherein said conditions are selected from the group consisting of ambient temperature, fluid temperature, fluid viscosity, container angle, and power variations in the pressure control system

There is no teaching that has been found by Applicant in the references that meet these limitations. The rejection of claim 11 is therefore also untenable.

Claims 4 and 14 have been rejected under 35 USC 103(a) as unpatentable over Weston in view of Lenhardt when further considered with Holder. The addition of the Holder reference does not correct even the initial deficiencies of the Weston and Lenhardt combination, and does not teach manually operated, hand-held fluid applicators. Holder also discloses a fixed, stationary machine with substrates moved horizontally with respect to a fixed applicator. There is absolutely no teaching of such systems. Without even a suggestion of such automated controls in a manual fluid application system, there can be no obviousness.

Claim 5 is rejected under 35 USC 103(a) as unpatentable over Weston in view of Lenhardt when further considered with Price. The addition of the Price reference does not correct even the initial deficiencies of the Weston and Lenhardt combination, and does not teach manually operated, hand-held fluid applicators. Price also discloses a fixed, stationary, robotic action machine with substrates moved horizontally with respect to a fixed applicator. There is absolutely no teaching of manual systems. Without even a

suggestion of such automated controls in a manual fluid application system, there can be no obviousness.

Claim 6 is rejected under 35 USC 103(a) over Weston in view of Lenhardt when further considered with Bretmersky. The addition of the Bretmersky reference does not correct even the initial deficiencies of the Weston and Lenhardt combination, and does not teach manually operated, hand-held fluid applicators. Bretmersky also discloses a fixed, stationary machine with substrates moved horizontally with respect to a fixed applicator. There is absolutely no teaching of such systems, and the only disclosure of a manual feature by Bretmersky is the manual input onto controls. Without even a suggestion of such automated controls in a manual fluid application system, there can be no obviousness.

CONLUSION

All rejections have been addressed and traversed.

Applicants assume the application is now in proper order and in condition for examination. Please direct any inquiries to the undersigned attorney at (952) 832-9090.

Respectfully submitted,

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